

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

MILITARY RELIGIOUS FREEDOM FOUNDATION,

Plaintiff,

v.

Civ. No. 22-0775 KG/KK

DEPARTMENT OF VETERANS AFFAIRS,

Defendant.

ORDER OF DISMISSAL

This matter comes before the Court *sua sponte* following Plaintiff's failure to respond to the Order to Cure or Show Cause, (Doc. 5), filed January 18, 2023. Plaintiff filed its Complaint for Injunctive Relief and Disclosure of Documents, (Doc. 1), on October 18, 2022. However, Plaintiff has not yet filed proof of service of process nor requested an extension of time to accomplish such service, despite the 90-day deadline for service enshrined in Federal Rule of Civil Procedure 4(m). Moreover, Plaintiff failed to respond to the Order to Cure or Show Cause by the February 1st deadline.

Plaintiff has failed to respond to the Order to Cure or Show Cause and has not filed any additional pleadings since the entry of that Order. Having failed to show good cause why its claims against Defendant should not be dismissed without prejudice for failure to comply with the service of process provision of Rule 4(m), the Court determines that Plaintiff's Complaint should be dismissed without prejudice for failure to prosecute the case.

IT IS ORDERED that the Complaint for Injunctive Relief and Disclosure of Documents (Doc. 1) is dismissed without prejudice.


UNITED STATES DISTRICT JUDGE